

# THE AUSTRALIAN NATIONAL UNIVERSITY

*University House Statute*

## University House Rules 2008

The Council of The Australian National University makes these Rules under section 10 of the *University House Statute*.

Dated: 26 September 2008.

Allan Hawke  
**Chancellor**

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### PART 1—PRELIMINARY

#### 1 Name of Rules

- 1.1 These Rules are the University House Rules 2008.
- 1.2 These Rules commence on the day after they are registered.

#### 2 Interpretation

2.1 In these Rules, unless the contrary intention appears:

***election*** means an election under these Rules;

***member*** means Member of University House;

***returning officer*** includes deputy returning officer;

***Statute*** means the *University House Statute*.

### PART 2—BOARD OF FELLOWS

#### 3 Board of Fellows-constitution

- 3.1 The Board of Fellows is comprised of the following members:
  - (a) the Master;
  - (b) 4 Fellows appointed by the Vice-Chancellor, in consultation with the Master, from among the academic staff of the University to represent the respective interests of the physical, social and life sciences, and the humanities;
  - (c) a resident graduate student elected by the graduate students in residence at the time of the election;
  - (d) a representative of the Postgraduate and Research Students' Association Inc. chosen by the Postgraduate and Research Students' Association Inc.;
  - (e) up to 2 members of the general community (not being members of the staff or students of the University) appointed by the Vice Chancellor;

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- (f) 2 Fellows elected by and from among the members;
- (g) 2 Fellows, each of whom is a member and either a former member of staff or a former student of the University, elected by the members.

#### **4 Board of Fellows-term of election or appointment**

4.1 The term of office of a Fellow elected or appointed under paragraph 3.1 (b), (c), (e), (f) or (g) is 2 years.

4.2 However, the term of appointment:

- (a) of the Fellows first appointed under paragraph 3.1 (b) to represent the physical and social sciences; and
- (b) of the Fellow first elected under paragraph 3.1 (f); and
- (c) of the Fellow first elected under paragraph 3.1 (g);

is 3 years.

4.3 The term of office of a Fellow elected or appointed under paragraph 3.1 (d) is 2 years, or such lesser period as the Postgraduate and Research Students' Association Inc. determines.

4.4 No Fellow is to be a member of the Board for more than 2 consecutive terms.

#### **5 Resignation and filling of vacant office**

5.1 A Fellow may resign from his or her office at any time in writing addressed to the Master.

5.2 If a Fellow ceases to be qualified for appointment or election to his or her office, the Board of Fellows may declare that office vacant.

5.3 If a person ceases to be a Fellow before his or her term of office expires, the Vice-Chancellor in consultation with the Board of Fellows may appoint to that office a person eligible to be appointed or elected to it.

5.4 A person appointed under subrule 5.3 holds office for the unexpired portion of the term of office of the person whom he or she replaces.

#### **6 Deputy Master**

6.1 One Fellow appointed under paragraph 3.1 (b) may be appointed Deputy Master by the Vice-Chancellor in consultation with the Master.

#### **7 Election of Fellows**

7.1 An election of a Fellow referred to in paragraph 3.1 (f) or (g) must be conducted in accordance with the Schedule.

7.2 The Master must appoint a returning officer for the purpose of an election and may appoint a deputy returning officer to assist the returning officer in the carrying out of his or her functions.

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7.3 If, at an election, the number of valid nominations does not exceed the number of seats to be filled, the returning officer must declare the persons nominated to be elected.

7.4 If, at an election, insufficient valid nominations are received to fill the number of seats to be filled, the returning officer must declare the persons nominated to be elected and the Master may appoint to each of the remaining offices a person eligible to be elected to each office.

7.5 If, at an election, no valid nominations are received, the Master may appoint to each of the offices to be filled a person eligible to be elected to each office.

## **8 Proceedings of the Board of Fellows**

8.1 The quorum at a meeting of the Board of Fellows is 6.

8.2 The Board of Fellows may, by resolution, regulate the conduct of its proceedings.

8.3 No act:

- (a) of the Board of Fellows; or
- (b) of a committee of the Board of Fellows; or
- (c) of a person acting in that person's capacity as Master or Fellow; or
- (d) otherwise done by or on behalf of the Board of Fellows;

is invalid only because of a vacancy in the membership of the Board of Fellows or a defect in an appointment or election or in the convening or conduct of any meeting of the Board of Fellows.

8.4 No proceedings:

- (a) of the Board of Fellows; or
- (b) of a committee of the Board of Fellows;

is invalid only because of a vacancy in the membership of the Board of Fellows or a defect in an appointment or election or in the convening or conduct of any meeting of the Board of Fellows.

## **9 Meetings of the Board of Fellows**

9.1 The Board of Fellows must meet at least 3 times in each calendar year.

9.2 A meeting of the Board may be called by the Master or Deputy Master (in the absence of the Master) or by a majority of members of the Board with the consent of the Master.

9.3 At a meeting of the Board of Fellows at which the Master is present:

- (a) the Master must preside; and
- (b) the Master has both a deliberative and a casting vote.

9.4 At a meeting of the Board of Fellows at which the Master is not present:

- (a) the Deputy Master must preside; and
- (b) the Deputy Master has a deliberative vote but does not have a casting vote.

9.5 At a meeting of the Board of Fellows at which the Master and the Deputy Master are not present:

- (a) the members present must elect one of their number to preside at that meeting; and

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- (b) the member elected to preside at the meeting has a deliberative vote but does not have a casting vote.

## **10 Duties and payment of Fellows**

10.1 The Master, with the advice of the Board of Fellows, may determine the duties of Fellows.

10.2 The Master, taking into account the advice of the Board of Fellows, may determine the remuneration of Fellows.

## **PART 3—HONORARY FELLOWS**

### **11 Honorary Fellows**

11.1 The Council may, after considering the advice of the Board of Fellows, by resolution, elect a person to be an Honorary Fellow of University House.

11.2 A person must not be elected to be an Honorary Fellow of University House unless he or she:

- (a) has a substantial connection with University House, or with the University; and
- (b) is eminent in scholarship or public affairs.

11.3 The Master and the Board of Fellows, acting together, may offer to appoint such persons as they think fit as Visiting or Temporary Honorary Fellows.

11.4 The Board may determine the duties, tenure and remuneration (if any) of a Visiting or Temporary Honorary Fellow.

11.5 A Visiting or Temporary Honorary Fellow must not be appointed for a term that exceeds 6 months in duration.

## **PART 4—MEMBERSHIP OF UNIVERSITY HOUSE**

### **12 Categories of Member**

12.1 The categories of Members are as follows:

- Ordinary Member;
- Student Member;
- Reciprocal Member;
- Visiting or Temporary Member;
- Honorary Member.

### **13 Ordinary Members**

13.1 A person is eligible to be an Ordinary Member if the person:

- (a) is a member of Convocation; or
- (b) is a member of the full-time staff of the University; or
- (c) is engaged by the University in continuing part-time employment; or

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- (d) is a graduate of a university, or is, in the opinion of the Master, having considered any relevant advice given by the Board of Fellows, an appropriate person to be admitted as an Ordinary Member.

13.2 The Master may invite persons to whom subrule 13.1 does not apply to become Ordinary Members.

13.3 If an Ordinary Member ceases to be eligible for admission as an Ordinary Member under subrule 13.1 he or she may continue as an Ordinary Member in spite of that fact.

#### **14 Student Members**

14.1 A person may be admitted as a Student Member if he or she is a graduate student enrolled for a recognised program of study (other than his or her first Bachelor degree) at the University.

14.2 Unless a Student Member's membership ceases in accordance with rule 20, the Student Member retains his or her membership for the duration of his or her enrolment in a program referred to in subrule 14.1.

#### **15 Reciprocal Members**

15.1 The Master may admit as a Reciprocal Member a person who is a member of an institution or club with which University House has entered into a reciprocal membership agreement (however described).

15.2 A person may not be a Reciprocal Member for a period or periods exceeding 30 days in any one calendar year.

15.3 However, the Master may, at any time before a period of reciprocal membership ends, extend its duration but not so as to exceed 6 months.

#### **16 Visiting or Temporary Members**

16.1 The Master may offer to appoint a person as a Visiting or Temporary Member for not more than 12 months, with or without payment of a fee.

#### **17 Honorary Members**

17.1 The Master and the Board of Fellows, acting together, may offer honorary membership of University House to such persons as they think fit.

#### **18 Admission to membership**

18.1 A person who is eligible to be a Member under rule 13, 14, 15 or 16 may apply in writing to the Master for admission to an appropriate class of membership of University House.

18.2 For the purposes of rules 13 and 14, the Master, acting on the advice of the Board of Fellows (or a committee appointed by the Board of Fellows for the purpose), may admit persons to be Ordinary or Student Members.

18.3 A person is admitted as a Visiting or Temporary Member under rule 16 if the Master receives the person's written acceptance of the Master's invitation to become a Visiting or Temporary Member.

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18.4 A person is admitted as an Honorary Member under rule 17 if the Master receives the person's written acceptance of the Board of Fellows' invitation to become an Honorary Member.

## **19 Former Student Member etc may apply to be Ordinary Member**

19.1 Nothing in this Part prevents a person who ceases to be a Student, Reciprocal, Visiting or Temporary Member from becoming an Ordinary Member in accordance with these Rules.

## **20 Cessation or interruption of membership**

20.1 A Member may resign his or her membership by notice in writing given to the Master.

20.2 A person's membership may be terminated for reasonable cause:

- (a) if the person is an Ordinary, Student or Honorary Member - by resolution of the Board of Fellows; or
- (b) if the person is a Temporary, Visiting or Reciprocal Member - by order of the Master.

20.3 In subrule 20.2, a reference to reasonable cause includes, but is not limited to, a reference to:

- (a) the failure by a Member to pay any fee or charge payable by that Member more than 30 days after the due date for payment; and
- (b) behaviour that the Board of Fellows regards as being contrary to the interests of University House.

20.4 If a person's membership is terminated, the person ceases to be a Member:

- (a) if the Board of Fellows resolves to terminate his or her membership; or
- (b) if the person is informed of the Master's order;

as the case requires.

20.5 The termination of a person's membership does not affect the person's liability for any fees or charges:

- (a) payable by the person; and
- (b) falling due before the termination of his or her membership.

20.6 If, after being requested to do so by the Master, a Member fails to pay the appropriate annual subscription for a year by the date specified in the request, the person's membership is regarded as having lapsed.

20.7 If a person whose membership is regarded as having lapsed wishes to renew his or her membership, he or she may apply to the Master for readmission as a Member.

20.8 If a person:

- (a) applies to renew his or her lapsed membership; and
- (b) pays any fees required by these Rules for that membership;

the Master may approve the person being readmitted as a Member.

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## PART 5—MISCELLANEOUS

### 21 Fees and charges

21.1 The Board of Fellows may, by resolution, determine the membership fees and residential charges payable by Members and residents (other than graduate student residents) of University House.

21.2 The Vice-Chancellor or Deputy Vice-Chancellor may make Orders regarding the residential charges payable by graduate student residents of University House.

21.3 The Vice-Chancellor or Deputy Vice-Chancellor must consult the Board of Fellows before making an Order under subrule 21.2.

21.4 The Board of Fellows may, by resolution, waive all or part of the fees or charges that would, but for this subrule, be payable by a Member to whom the resolution applies.

21.5 If a Member fails to pay any fee or charge payable by the Member under this rule, the Master may deny the Member:

- (a) access to parts of University House; or
- (b) the use of any of the facilities of University House.

21.6 A reference in subrule 21.5 to the *Master* includes a reference to a Fellow for the time being authorised by the Master, in writing, to exercise the powers of the Master under that subrule.

[Note: Rule 12 of the Fees Rules provide as follows:

### 12 Residential accommodation services fees

12.1 Subject to the *Halls of Residence Statute*, the *University House Statute* and to any Rules made under either of those Statutes, if the Orders so require, a person who uses the residential accommodation services offered by the University must pay the amount of the fee or charge for that service set out in, or worked out under, the Orders.

12.2 However, nothing in this rule prevents the University from entering into a commercial arrangement with a person for the use of residential accommodation services requiring that person to pay a fee for that use.

12.3 A fee payable under subrule 12.2 is a fee that is required to be paid under these Rules.]

### 22 Eligibility for residence

22.1 The Board of Fellows may, by resolution, determine:

- (a) who is eligible to reside in University House; and
- (b) the terms and conditions of residence in University House.

22.2 If a resolution of the Board of Fellows renders a resident Member ineligible to remain a resident of University House, the resolution does not have effect in relation to that Member until a reasonable period has elapsed after the Member is given notice in writing of the making of the resolution.

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## **23 Access for non-members**

- 23.1 Subject to any conditions prescribed by the Board of Fellows under subrule 23.2:
- (a) residents of University House who are not Members; or
  - (b) persons (other than Members) attending a function at University House; or
  - (c) officers or employees of the University who are not Members; or
  - (d) graduate students enrolled for a recognised program of study at the University who are not Members; or
  - (e) guests of Members;

have access to those parts of University House, and the use of those facilities of University House, that are specified in any relevant order by the Board of Fellows under that subrule.

- 23.2 The Board of Fellows may, by order, specify:
- (a) the parts of University House to which those persons referred to in subrule 23.1 may have access; and
  - (b) the facilities of University House that may be used by those persons;
- and may make that access or use subject to conditions.

## **24 Repeal**

- 24.1 The University House Rules (No. 2) 2005 as amended and in force immediately before the commencement of these Rules, are repealed.

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## **SCHEDULE**

### **Rule 7**

1. If an election of a Fellow referred to in paragraph 3.1 (f) or (g) of the Rules is necessary, the returning officer must:

- (a) give to each person eligible to vote at the election; and
- (b) publish on appropriate notice boards at University House;

a notice:

- (c) stating that an election is necessary; and
- (d) inviting nominations of persons eligible for election; and
- (e) specifying the form in which nominations must be made; and
- (f) fixing a date and time by which nominations must reach the returning officer.

2. A notice under clause 1 is taken to have been given to a person if a copy of a publication in which that notice is published is sent to the person.

3. In the conduct of an election under these Rules the returning officer must allow the intervals set out below between the following events:

- (a) between the publication of the fact that an election is necessary and the time prescribed for the receipt of nominations, not less than 14 and not more than 30 days;
- (b) between the time prescribed for the receipt of nominations and the issue of voting papers, not more than 28 days;
- (c) between the time of issuing voting papers and the time by which voting papers must reach the returning officer, not less than 28 and not more than 60 days.

4. Nominations of candidates must be made to the returning officer.

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**5.** A nomination must be signed by 2 persons qualified to vote at the election and must contain the written consent of the candidate to nomination. A person must not nominate for more than 1 office.

**6.** With every voting paper there must be issued:

- (a) an envelope that is marked 'Voting Paper'; and
- (b) another envelope that is addressed to the returning officer and on which is endorsed a form of declaration.

**7.(1)** Every voting paper must contain the names of the candidates in alphabetical order (the names of any retiring candidates being indicated).

**(2)** If a voting paper is lost or destroyed a duplicate must be supplied on written application to the returning officer.

**8.** There must be set out at the head of every ballot paper the following instructions:

"INSTRUCTIONS TO VOTER

- 1.** Indicate your preference, or the order of your preference, on this voting paper by writing the number 1 against the name of the candidate for whom you wish to vote or by writing a series of consecutive numbers, beginning with the number 1, against the names of the candidates for whom you wish to vote, one number being written against the name of each such candidate. You are not required to write a number against the name of every candidate.
- 2.** Place this voting paper in the envelope marked 'Voting Paper'.
- 3.** Seal that envelope and place it in the envelope addressed to the returning officer.
- 4.** Sign the declaration on the envelope addressed to the returning officer and post or deliver the envelope to the returning officer."

**9.** A voter must vote in conformity with the instructions set out in clause 8.

**10.** All envelopes referred to in paragraph 6 (b) that are received by the returning officer must remain unopened until the close of the poll, at which time the returning officer or his or her deputy must:

- (a) open each envelope in respect of which the declaration has been signed by a qualified voter;
- (b) place the envelopes containing the voting papers together; and
- (c) after all the envelopes containing the voting papers have been so placed together, open the envelopes and ascertain the result of the election.

**11.** Each candidate is entitled to nominate a scrutineer to represent the candidate at the scrutiny.

**12.** Neither the returning officer nor anyone acting as deputy of the returning officer nor any scrutineer may in any way disclose or aid in disclosing in what manner any voter has voted.

**13.** A valid voting paper must be accepted if it is received by the returning officer before the close of the poll.

**14.** The returning officer must decide whether any voting paper is to be accepted or rejected.

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**15.** The returning officer must not accept a vote at an election unless the returning officer is satisfied:

- (a) that it has been cast by a person eligible to vote at the election; and
- (b) that the person has voted only once at the election.

**16.** In an election at which only 1 candidate is to be elected, the result of the election must be determined in the following manner:

- (a) the returning officer must count the first preference votes given for each candidate on all unrejected voting papers;
- (b) the candidate who has received the largest number of first preference votes must, if that number constitutes an absolute majority of votes, be elected;
- (c) if no candidate has received an absolute majority of first preference votes, the counting of votes must proceed as follows:
  - (i) the candidate who has received the fewest first preference votes is to be excluded, and each voting paper counted to that candidate must be counted to the candidate next in the order of the voter's preference;
  - (ii) if a candidate then has an absolute majority of votes that candidate is elected, but if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the fewest votes, and counting each of that candidate's voting papers to the unexcluded candidate next in the order of the voter's preference, must be repeated until 1 candidate has received an absolute majority of votes; and
  - (iii) the candidate who has received an absolute majority of votes is elected.

**17.** In an election at which more than 1 candidate is to be elected, the result of the election must be determined in the following manner:

- (a) the first preference votes given for each candidate on all unrejected voting papers are to be counted;
- (b) the aggregate number of such first preference votes is to be divided by 1 more than the number of candidates required to be elected, and the quotient increased by 1, disregarding any remainder, is to be the quota, and (except as provided in subclause (j)) no candidate is to be elected until the candidate obtains a number of votes equal to or greater than the quota;
- (c) any candidate who has, upon the first preference votes being counted, a number of such votes equal to or greater than the quota is to be declared elected;
- (d) if the number of such votes obtained by any candidate is equal to the quota, the whole of the voting papers on which a first preference vote is recorded for such elected candidate must be set aside as finally dealt with;
- (e) if the number of such votes obtained by any candidate is in excess of the quota, the proportion of votes in excess of the quota is to be transferred to the other candidates not yet declared elected, next in the order of the voter's preferences, in the following manner:
  - (i) all the voting papers on which a first preference vote is recorded for the elected candidate must be re-examined, and the number of second preference votes, or (in the case provided for in clause 19) third or next consecutive preferences, recorded for each unelected candidate must be counted;

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- (ii) the surplus of the elected candidate must be divided by the total number of votes obtained by that candidate on the counting of the first preference votes, and the resulting fraction is the transfer value;
  - (iii) the number of second or other preferences ascertained in paragraph (i) to be recorded for each unelected candidate, must be multiplied by the transfer value;
  - (iv) the resulting number must be credited to each unelected candidate, and added to the number of votes obtained by each unelected candidate on the counting of the first preference votes;
- (f) if on the counting of the first preference votes or on any transfer:
- (i) more than 1 candidate has a surplus, the largest surplus is to be first dealt with; and
  - (ii) after subparagraph (i) has been complied with, more than 1 candidate has a surplus, the then largest surplus is to be dealt with, and so on; provided that if 1 candidate has obtained a surplus at a count or transfer previous to that at which another candidate obtains a surplus, the surplus of the former is to be first dealt with; and
  - (iii) more than 1 candidate has a surplus of the same number of votes, the highest on the poll at the count or transfer at which they last had an unequal number of votes is to be the first dealt with, and if they had an equal number of votes at all preceding counts or transfers, the returning officer must decide by lot which candidate's surplus is to be first dealt with;
- (g) if the number of votes obtained by a candidate is raised up to or above the quota by a transfer under paragraph (f):
- (i) the candidate is to be declared elected, and in such case, notwithstanding the fact that the candidate may have reached the quota, such transfer is to be completed, and all the votes to which the candidate is entitled from the transfer must be transferred to the candidate, but no votes of any other candidate are to be so transferred; then
  - (ii) the whole of the voting papers on which such votes are recorded are to be set aside as finally dealt with; then
  - (iii) the candidate's surplus must be transferred to the candidates next in the order of the voters' respective preferences, in the following manner:
    - (A) the voting papers on which are recorded the votes obtained by the elected candidate in the last transfer must be re-examined, and the number of third, or (in the case provided for in clause 19) next consecutive preferences recorded for each unelected candidate on each such voting paper counted;
    - (B) the surplus of the elected candidate must be divided by the total number of voting papers mentioned in subparagraph (A), and the resulting fraction is the transfer value;
    - (C) the resulting number must be credited to each unelected candidate, and added to the number of votes previously obtained by that candidate;
- (h) if, after the first preference votes have been counted and all surpluses (if any) have been transferred in accordance with this Schedule, no candidate, or less than the number of candidates required to be elected, has or have obtained the quota:

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- (i) the candidate who is lowest on the poll is to be excluded, and all the votes obtained by that candidate are to be transferred to the candidates next in the order of the voters' respective preferences, in the same manner as is directed in paragraph (e); then
- (ii) the votes obtained by such excluded candidate as first preference votes must first be transferred, the transfer value of each vote in this case being 1; then
- (iii) the other votes of such excluded candidate must then be dealt with in order of the transfers in which, and at the transfer value at which, that candidate obtained them; and then
- (iv) each of the transfers which takes place under subparagraphs (ii) and (iii) is to be regarded for all purposes to be a separate transfer;
- (i) if a number of votes obtained by a candidate is raised up to or above the quota by any such transfer:
  - (i) the candidate must be declared elected, and, in such case, notwithstanding the fact that the candidate may have reached the quota, such transfer is to be completed, and all the votes to which the candidate is entitled from the transfer must be transferred to the candidate, but no other votes must be so transferred; then
  - (ii) the whole of the voting papers on which such votes are recorded must be set aside as finally dealt with; then
  - (iii) the surplus must be transferred to the candidates next in the order of the voters' respective preferences in the same manner as is directed in paragraph (g)(iii); provided that such surplus must not be dealt with until all the votes of the excluded candidate have been transferred; and then
  - (iv) if any surplus exists it must be dealt with before any other candidate is excluded;
- (j) the same process of excluding the candidate lowest on the poll and transferring that candidate's votes to other candidates must be repeated until all the candidates, except the number required to be elected, have been excluded, and the unexcluded candidates who have not already been so declared, must then be declared elected.

**18.** If 2 or more candidates have the same number of votes and it becomes necessary to exclude 1 of them, then whichever of the candidates was lowest on the poll at the last count or transfer at which they had an unequal number of votes, must be excluded and, if such candidates have an equal number of votes at all preceding counts or transfers or if there was no preceding count or transfer, the returning officer must decide by lot which candidate must be excluded.

**19.** In determining which candidate is next in the order of the voter's preference, any candidates who have been declared elected or who have been excluded must not be considered, and the order of the voter's preference must be determined as if the names of such candidates had not been on the voting paper.

**20.** If on any count or transfer it is found that on any voting paper there is no candidate next in the order of the voter's preference, that voting paper must be set aside as exhausted.

**21.** The returning officer may, on the request of any candidate setting forth the reasons for the request, or of the returning officer's own motion, recount the voting papers received in connection with any election.

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**22.(1)** If, before the poll is declared at an election, the returning officer is satisfied that the election has been vitiated by reason of an irregularity in the course or conduct of the election, the returning officer may declare the election to be void from the commencement of the election or from such point in the proceedings of the election as the returning officer specifies in the declaration, being a point in those proceedings after the notification of the fact that the election was necessary but before the occurrence of the irregularity.

**(2)** If, under subclause (1), the returning officer declares an election to be void from the commencement of the election, the returning officer must, as soon as practicable after making the declaration, conduct a further election in accordance with these Rules in place of the void election.

**(3)** If, in pursuance of subclause (1), the returning officer declares an election to be void from a point in the proceedings after the notification of the fact that the election was necessary, the returning officer must determine what further proceedings in the election are necessary to ensure that the election will be regularly conducted and must, subject to subclause (4), conduct those further proceedings in accordance with these Rules in place of the void proceedings.

**(4)** In the conduct of any further proceedings in an election under subclause (3), the returning officer may, notwithstanding anything contained in clause 3, determine the intervals to be allowed between the occurrence of any events in the course of those further proceedings.

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